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January 23, 2025

BY ECF

Honorable Denise L. Cote
United States District Judge
Southern District of New York
500 Pearl Street, Room 1910
New York, NY 10007

RE: *Kelly-Starkebaum v. Papaya Gaming, Ltd. et al.*, No. 1:24-cv-02310-
DLC

Dear Judge Cote:

Pursuant to Local Rule 1.6, we write on behalf of Defendants Papaya Gaming, Ltd. and Papaya Gaming, Inc. (“**Papaya**”) to advise this Court that a related class action has been filed in Los Angeles County, California Superior Court. *See Barcelo v. Papaya Gaming, Ltd.*, No. 24STCV32626 (Cal. Super. Ct. Los Angeles Cnty.) (the “**California Action**”). Although Papaya disputes the merits of the underlying claims, it has reached a settlement that, if approved, will resolve the claims of a nationwide class of consumers.

The claims brought by plaintiff Brenna Kelly-Starkebaum in her individual capacity, which the Court compelled to arbitration on December 17, 2024, have been carved out of the settlement and will therefore not be impacted by the California Action.

Respectfully submitted,

/s Michael W. McTigue Jr.

cc: All counsel of record (via ECF)